

Wednesday March 12, 2025

The Martin City Council met in Regular Session on Wednesday March 12th, 2025 at 5:30 p.m. in the Library Community Room at 101 Main Street.

Mayor Gary Rayhill called the meeting to order with council members Gloria Claussen, Tootie Moffitt, Larry Gauer, Tyler Nollett, and Warren Peterson, and Randy Kocourek present. Absent, none.

Others present, Chris Doctor with the Bennett County Booster, Bob Fogg, BC Sheriff Jason Irwin, Jeff Sisco, City Foreman Paul Noel, City Attorney Sara Frankenstein, and Finance Officer Jean Kirk.

Approval of Agenda: Kocourek moved to approve the agenda with flexibility. Moffitt seconded the motion. All in favor, motion carried.

Minutes: The minutes of the February meeting were reviewed. Gauer moved to approve the February minutes. Nollett seconded the motion, all voting aye, motion carried.

Finance Officer's Report: Peterson moved approve the Finance officer's report for February. Seconded by Nollett, all voting aye, motion carried.

Beginning Balance on Hand	\$4,528,133
February Receipts	174,933
Total to be accounted for	4,703,066
Transfer In	26,189
Transfer Out	26,189
Disbursements	134,678
Outstanding Warrants	9,668
CD & Petty Cash	22,702

Claims March 2025: The claims were reviewed by the council. Peterson moved to pay the March claims. Seconded by Nollett, all voting aye, motion carried.

Insert March Claims Here

Gauer moved to approve the payment of \$703 to the USDA for the lagoon payment. Peterson seconded the motion. All voting aye, motion carried.

Law: Sherriff Irwin updated the council on the February numbers. They had 187 calls for service, 124 of those were in Martin. 149 traffic tickets were issued with 39 in Martin. 1 ordinance ticket was issued.

Freshman Impact: Lindel Adair asked the Council if they would consider giving a donation to help sponsor the Freshman Impact program that is held here in Martin every year. This year it will be April 10. Peterson moved to donate \$2000 out of the BBB Fund. Nollett seconded the motion, all voting aye, motion carried.

Marijuana Ordinance: The second reading of Ordinance #261 was held.

ORDINANCE # 261

**AN ORDINANCE TO AMEND TITLE 10, SECTION 10-1-5
REGARDING MEDICAL MARIJUANA DISPENSARIES**

BE IT ORDAINED BY THE CITY COUNCIL OF MARTIN, SOUTH DAKOTA,
BENNETT COUNTY, THAT:

Title 10, Section 10-1-5 regarding medical marijuana dispensaries is hereby amended in the Municipal Code of Martin, South Dakota to read as follows:

10-1-5: ISSUANCE OF LICENSE

(a) The City will issue a license unless:

1. The applicant has made a false statement on the application or submits false records or documentation; or
2. Any owners, principal officers, trustees, employees, agents, or board member of the applicant is under the age of twenty-one (21) years; or
3. Any owners, principal officers, trustees, employees, agents, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction; or
4. The proposed location does not meet all location requirements under SDCL § 34-20G-1 *et seq.* and the administrative rules promulgated thereunder; or
5. The license is to be used for a business prohibited by state or local law, statute, rule, Ordinance, or regulation; or
6. Any owner, principal officer, trustee, agent, or board member of the applicant has had a cannabis establishment license revoked by the city or a registration certificate revoked by the state; or
7. An applicant, or an owner, principal officer, trustee, agent, or board member thereof, is overdue in payment to the City of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
8. The applicant will not be operating the business for which the license would be issued; or

9. There exists another reason not listed above, but for which denial of a license would not be arbitrary, capricious, or discriminatory under federal law.

(b) In the case of an application for a cannabis dispensary license, the City will reject the application if the limit on the number of cannabis dispensaries has been reached.

(c) The license must be posted in a conspicuous and publicly accessible location at or near the entrance to the cannabis establishment so that it may be easily read at any time.

(d)

Dated this 12 day of March, 2025.

City of Martin, a Municipal Corporation

(SEAL)

Mayor

ATTEST:

Jean Kirk, Finance Officer

1st Reading February 12, 2025

2nd Reading March 12, 2025

Published March 19, 2025

Effective April 8, 2025

Peterson moved to approve the second reading and publish Ordinance #261. Claussen seconded the motion, all voting aye, motion carried.

Park Ordinance #262: Peterson moved to approve the first reading of Ordinance #262.

ORDINANCE #262

AN ORDINANCE ADDING SECTION 6-3-1.2 PARK REGULATIONS TO MARTIN CITY CODE TITLE SIX CHAPTER THREE

Claussen seconded the motion, all voting aye, motion carried.

Free Clean-up Month: Kocourek moved to have April free clean-up month. City residents will be allowed to take approved items to the rubble site free of charge. Nollett seconded the motion all voting aye, motion carried.

Election Board: A motion was entered by Kocourek to appoint Ann Harris, Susan Sigman, and KayCee Hodson to the City of Martin’s Election Board. Gauer seconded the motion, all voting aye, motion carried.

Open Meeting Training: City Attorney Frankenstein conducted an open meeting training for the Council. State law mandates that the council have a training annually on open meeting rules and regulations.

Engineer: Nollett moved to have the city advertise for bids for an engineer to update the city’s water distribution plan to include source water. This will be used to address the high arsenic levels in the city’s water. Peterson seconded the motion, all voting aye, motion carried.

Building Permits: Peterson moved to extend Jay Yohner’s building permit for the storage units at 204 Portice Street. Nollett seconded the motion all voting aye, motion carried.

Past due Water Bills: The past due water bills were reviewed by the council. Peterson move to handle the past due water bills as usual. Nollett seconded the motion, all voting aye, motion carried.

Adjournment: As there was no further business to come before the council at this time, motion to adjourn was entered by Gauer.

The next city council meeting will be held March 17th at 5:30 p.m. at the library community room.

Dated this 12th day of March, 2025

Gary Rayhill, Mayor

ATTEST: _____
Jean Kirk, Finance Officer

Published once at a total estimated cost of \$